

CHAPTER V

CONCLUSION AND SUGGESTION

A. Conclusion

The Refugees in the world is already protected by the 1951 Convention Relating to the Status of Refugee and 1967 Protocol. The protection of refugee according to international refugee law can be concluded that the refugees has several rights such as: rights to get freedom of religion, rights to get wage-earning employment, rights to non-discrimination, rights to get houses, rights to education, rights to get public relief, rights to not to be expelled or returned to their habitual residence. Convention on Relating to the Status of Refugees 1951 establishes fundamental rights to be acquired for refugees, which is rights in the same circumstances standard by other foreigners and equal treatment with local citizens.

Indonesia as non-state parties of the 1951 Convention has an obligations to apply the international refugee protection standards which become parts of international law because Indonesia already adopted a set of international and national regulation governing human rights such as Universal Declaration of Human Rights and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishments. With these conditions, the Indonesian government has the

responsibility to not ignore the basic rights of the Rohingyas for protecting them as refugees. Indonesian government should not expulsion or return (refouled) to their habitual residence where they might be subjected to torture and persecution. Indonesia as non-state parties of 1951 Convention at least should provides temporary asylum and cooperates with UNHCR to facilitate immediate needs of Rohingyas.

B. Suggestion

From the previous conclusion, the author would like give a suggestion that every countries should respect the principles of non-refoulement as the basis of international protection to the refugees. The Indonesian government need to establiesh specific regulation concerning on refugees for handling the problem of refugees, especially in this case Rohingyas. Indonesia should also ratifiy and implement the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 Protocol to help the international community to resolve the refugees permanently.